

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOHN EDWARD GALLAGHER,)	
Plaintiff)	
)	
vs.)	Civil Action No. 06-1206
)	Judge Terrence F. McVerry/
DR. WILCOX,)	Magistrate Judge Amy Reynolds Hay
Defendant)	

ORDER

AND NOW, this 9th day of May, 2008, after the Plaintiff, John Edward Gallagher, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until April 28, 2008 to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the complaint [Dkt. 8] is dismissed for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

John Edward Gallagher
7461 Elm Street
Meadville, PA 16335

John R. Ninosky, Esq.
Email: jrn@jdsw.com